

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TRUMP RUFFIN COMMERCIAL, LLC,

Petitioner,

Case No. 16-1386

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

**MOTION OF PETITIONER TO DISMISS ITS
PETITION FOR REVIEW**

Pursuant to Federal Rule of Appellate Procedure 42(b), Petitioner Trump Ruffin Commercial, LLC (“Petitioner”) respectfully moves to dismiss its Petition for Review filed in the above-captioned case. In support of its motion, Petitioner states the following:

1. On November 3, 2016, Respondent the National Labor Relations Board (the “Board”) issued a Decision and Order, reported at 364 NLRB No. 143.

2. On November 4, 2016, Petitioner filed with this Court a Petition for Review of the Decision and Order, which the Court docketed as Case 16-1386.

3. Thereafter, Petitioner and the Local Joint Executive Board of Las Vegas, Culinary Workers Union Local 226 and Bartenders Union Local 165, affiliated with UNITE HERE International Union, AFL-CIO (the “Union” and

Movant-Intervenor) have resolved issues underlying the Board's Decision and Order. Accordingly, Petitioner moves to dismiss its Petition for Review.

4. Counsel for Petitioner consulted with counsel for the Board and for the Union, who have indicated that the Board and Union do not oppose this motion to dismiss and stipulate to a dismissal with all parties to bear their own costs.

WHEREFORE, Petitioner respectfully requests that its motion be granted and that the Petition for Review be dismissed, with each party to bear its own costs.

Dated: December 21, 2016

Respectfully submitted,

By: /s/ Matthew J. Cute

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2016, I electronically filed the foregoing **MOTION OF PETITIONER TO DISMISS ITS PETITION FOR REVIEW** with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the CM/ECF system, which will send notice and accomplish service of such filing to the following registered CM/ECF users:

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By: /s/ Matthew J. Cute

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